Court stay orders against Zonal Railways

2233. SHRI NAGENDRA NATH OJHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a number of catering/vending/bookstall contractors on each Zonal Railway have obtained stay orders from different courts of law against the decision of enhancement of the licence fee/royalty, etc.; and

(b) if so, what are the details, with names of stations, Division-wise, on each Zonal Railway?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL): (a) and (b) Yes. Sir.

With a view to rationalise the licence fee for catering/vending licences, Ministry of Railways had uniformly revised the licence fee *w.e.f* 1.7.1999.

The Indian Railway Caterers Association filed a Writ Petition in the Hon'ble High Court of Kerala in the month of January 2000 and obtained a stay order against implementation of the revised licence fee. Few catering/vending licencees over other zonal railways have also filed separate Writ Petitions in various Courts of law and obtained stay orders. However, the Hon'ble High Courts of Mumbai, Jabalpur and Kerala have vacated the stay orders and upheld the decision taken by the Ministry of Railways in this regard.

Station-wise details of court cases are not available as cases are filed jointly by Associations of catering/vending licencees as well as by individual licencees operating pantry cars and static units at stations.

Encroachment of Railway land in Maharashtra

2234. SHRI SURYABHAN PATIL VAHADANE: Will the Minister of RAILWAYS be pleased to state:

(a) whether large areas of Railway land have been encroached at different places in Maharashtra;

(b) whether all such land has been identified;

(c) if so, the action taken to get back this land; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL): (a) Some Railway lands have been encroached upon in the State of Maharashtra.

(b) Yes, Sir.

(c) Railways are engaged in a continuous exercise to remove encroachments from their land as per provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1971, and as per provisions of the Railways Act, 1989. A large number of encroachers have been removed.

(d) Does not arise.

Construction of Rail underbridge in Satna

†2235. SHRI P.K. MAHESHWARI: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons for delay in the construction of rail underbridge, being built by the Railways in Satna in Madhya Pradesh;

(b) the time frame and the cost fixed for its construction and the present status as well;

(c) whether the Ministry has received any complaint against the contractor regarding delay; if so, the details of action taken; and

(d) by when the construction work of said underbridge is likely to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL): (a) Change in scheme of construction necessitated by operational requirements and time taken in approval of scheme and revised estimate by State Government.

(b) Work is likely to be completed during current financial year subject to State Government fulfilling its financial commitment. Cost

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†Original notice of the question was received in Hindi.